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SIPDIS

FOR NEA/ELA AND DRL/NESCA
NSC FOR KUMAR

E.O. 12958: DECL: 07/13/2029
TAGS: [PGOV](#) [PHUM](#) [KDEM](#) [EG](#)
SUBJECT: GOE RELEASES JOURNALIST FROM PRISON AFTER FIVE DAYS

REF: A. CAIRO 1305
[B](#). CAIRO 1231
[C](#). CAIRO 284
[D](#). CAIRO 180
[E](#). 08 CAIRO 2152

Classified By: Economic-Political Minister-Counselor
Donald A. Blome for reason 1.4 (d).

[1](#)1. (C) On July 11, the GOE released independent editor Yasser Barakat from prison five days after police arrested him to implement a sentence imposed by Cairo Criminal Court June 24.

The court handed down a six-month sentence against Barakat for allegedly defaming MP Mustafa Bakry in a November 2007 newspaper article (refs A and B). Barakat's lawyer, Gamal Eid, told us that the Public Prosecutor commuted the sentence and ordered Barakat's release, pending the case's appeal to the Court of Cassation. Eid attributed the Public Prosecutor's decision to pressure from Press Syndicate President Makram Mohammed Ahmed who lobbied for exactly this outcome. He noted that MP Bakry also asked the prosecutor to commute the sentence. Eid said that as part of the agreement with the Public Prosecutor, the Press Syndicate would discipline Barakat for practicing "irresponsible" journalism.

(Note: It is unclear how the syndicate would discipline Barakat, as there is no precedent for such an action. End note.)

[1](#)2. (C) Sayed Abdelhafez of the Moltaga Forum for Development and Human Rights Dialogue said members of Barakat's newspaper told him that Barakat plans to publish a formal apology to Bakry in his virtually unknown paper "Al-Moagaz." (Note: Bakry is editor-in-chief of the sensationalist weekly tabloid "Al-Osboa." End note.) According to Abdelhafez, the Press Syndicate is encouraging journalists and others to seek the syndicate's mediation on defamation issues, as opposed to going through the court system. Abdelhafez noted that the Press Syndicate is reviewing the 13 additional defamation suits MP Bakry has filed against Barakat, with an eye toward encouraging resolutions out of court. Abdelhafez believed Bakry bolstered his standing with the Press Syndicate and the public by requesting that the Public Prosecutor commute the sentence, although this request was purely symbolic.

[1](#)3. (C) Comment: Barakat's quick release from jail illustrates that with the public and pro-government institutions generally opposed to prison terms for journalists, the Press Syndicate can effectively lobby the GOE to commute sentences. However, the government has not acted to implement Mubarak's 2004 pledge to abolish prison terms for journalists, probably to maintain jail terms as a threat against the media. The Press Syndicate worked mostly behind the scenes in this case, as opposed to the high-profile media fanfare that accompanied its successful efforts to persuade Mubarak to commute journalist Ibrahim Eissa's sentence in October 2008 (ref E).

SCOBAY